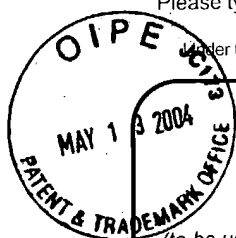


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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

TRANSMITTAL FORM (to be used for all correspondence after initial filing)		Application Number	10/726,007
		Filing Date	December 1, 2003
		First Named Inventor	Foley
		Group Art Unit	2133
		Examiner Name	Unassigned
Total Number of Pages in This Submission	12	Attorney Docket Number	021154-000910US

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ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): 1) Return receipt postcard 2) PTO/SB/08A and PTO/SB/08B forms 3) International Search Report 4) Five (5) references
Remarks The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430. Total number of pages <u>does not</u> include cited references.		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

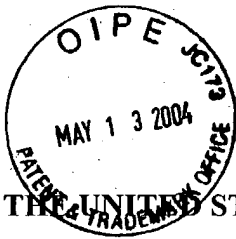
Firm and Individual name	Townsend and Townsend and Crew LLP Sujit B. Kotwal	Reg No. 43,336
Signature	S. B. Kotwal	
Date	May 10, 2004	

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this date: May 11, 2004			
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PATENT
Attorney Docket No.: 021154-000910US

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In re application of:

MATTHEW J. FOLEY et al.

Application No.: 10/726,007

Filed: December 1, 2003

For: DATA RECOVERY TECHNIQUES
IN STORAGE SYSTEMS

Examiner: Unassigned

Technology Center 2100

Art Unit: 2133

INFORMATION DISCLOSURE
STATEMENT UNDER 37 CFR §1.97 and
§1.98

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The references cited on the attached PTO/SB/08A and PTO/SB/08B forms are being called to the attention of the Examiner. Copies of references BB-BF are enclosed. It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

Also enclosed is a copy of the International Search Report corresponding to the PCT application.

As provided for by 37 CFR 1.97(g) and (h), no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information, and no inference should be made that the information and references cited are, or are considered to be material to patentability because they are in this statement. No inference should be made that the information and references cited are prior art merely because they are in this statement.

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Respectfully submitted,

S. B. Kotwal

Sujit B. Kotwal
Reg. No. 43,336

TOWNSEND and TOWNSEND and CREW LLP
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SBK:crf
60210176 v1

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Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)			Complete if Known	
			Application Number	10/726,007 RECEIVED
			Filing Date	December 1, 2003
			First Named Inventor	Foley, Matthew J. MAY 17 2004
			Art Unit	2133
Examiner Name	Unassigned Technology Center 2100			
Attorney Docket Number	021154-000910US			
Sheet	1	of	3	

U.S. PATENT DOCUMENTS+					
Examiner Initials*	Cite No. ¹	Document Number Number Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	AA	US-6,519,637	02-11-2003	Arkeketa, et al.	
	AB	US-6,493,756	12-10-2002	O'Brien, et al.	
	AC	US-6,460,070	10-01-2002	Turek, et al.	
	AD	US-6,453,325	09-17-2002	Cabrera et al.	
	AE	US-6,366,988	04-02-2002	Skiba et al.	
	AF	US-6,339,793	01-15-2002	Bostian et al.	
	AG	US-6,330,572	12-22-2001	Sitka	
	AH	US-6,269,382	07-31-2001	Cabrera et al.	
	AI	US-6,154,817	11-28-2000	Mohan et al.	
	AJ	US-6,038,379	03-14-2000	Fletcher et al.	
	AK	US-6,035,373	03-07-2000	Iwata	
	AL	US-5,991,753	11-23-1999	Wilde	
	AM	US-5,933,603	08-03-1999	Vahalia et al..	
	AN	US-5,798,766	08-25-1998	Hayashi et al.	
	AO	US-5,778,395	07-07-1998	Whiting et al.	
	AP	US-5,689,681	11-18-1997	Petersen	
	AQ	US-5,606,689	02-25-1997	Nakagawa	
	AR	US-5,506,986	04-09-1996	Healy	
	AS	US-5,485,606	01-16-1996	Midgley et al.	
	AT	US-5,367,698	11-22-1994	Webber et al.	
	AU	US-5,333,315	07-26-1994	Saether et al.	
	AV	US-5,276,867	01-04-1994	Kenley et al.	
	AW	US-5,202,982	04-13-1993	Gramlich et al.	
	AX	US-5,131,087	07-14-1992	Warr	
	AY	US-5,063,523	11-05-1991	Milan J. Vrenjak	
	AZ	US-2002/0174139	11-21-2002	Midgley et al.	
	BA	US-2001/0037475	11-01-2001	Bradshaw et al.	

Examiner Signature		Date Considered	
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			Filing Date	December 1, 2003	
			First Named Inventor	Foley, Matthew J.	
			Art Unit	2133	
			Examiner Name	Unassigned	
Sheet	2	of	3	Attorney Docket Number	021154-00091005

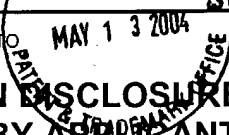
FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No. ¹	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³	Number ⁴	Kind Code ⁵ (if known)				
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			Application Number	10/726,007	
			Filing Date	December 1, 2003	
			First Named Inventor	Foley, Matthew J.	
			Art Unit	2133	
			Examiner Name	Unassigned	
Sheet	3	of	3	Attorney Docket Number	021154-00091005

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NON PATENT LITERATURE DOCUMENTS			
Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	BB	BHATTACHARYA et al., "Coordinating Backup/Recovery and Data Consistency Between Database and File Systems," <i>Procs. 2002 ACM SIGMOD Int. Conf. on Management of Data</i> , pgs. 500-511 (2002).	
	BC	HSM For NetWare- White Paper: A Guide to Hierarchical Storage Management from http://support.ca.com/techbases/hsm/HSMWhitePaper.html visited on 01/10/2003.	
	BD	POWERS, et al. (July 1999). "Complementing AS/400 Storage Management Using Hierarchical Storage Management APIs, A Practical Approach to AS/400 Storage Management," International Technical Support Organization, from http://www.redbooks.ibm.com/pubs/pdfs/redbooks/sg244450.pdf visited on 01/10/2003	
	BE	SafeCapacity™ User's Manual Version 2.14 (01/01/2002) Solution-Soft, Santa Clara, CA 48 pages total.	
	BF	WELCH et al., "A Resilient Application-Level Failure Detection System for Distributed Computing Environments," <i>Computers and Communications</i> (1995) IEEE Symposium on 27-29 Jun 1995-96.	

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